

MEMORANDUM

APRIL 4, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on fifteen zoning matters have been prepared by Authority staff for transmittal to the Board of Appeal.

	<u>Recommendations</u>			
	<u>Approval</u>	<u>Denial</u>	<u>Denial w/o Prejudice</u>	<u>Deferral</u>
Residential conversions	5			1
Major new housing or rehabilitation	1			
Residential building expansions, subdivisions, etc.		1		
Parking; gas stations; repair garages	2	2		
Industrial; chemical storage				
Institutional	2			
Commercial; office; business		1		
Hotels; restaurants				
Signs				

We recommend approval of five residential conversions:

Z-7560: 518 East Broadway, South Boston. Change occupancy one apartment, two offices to four apartments. Existing occupancy compatible with residential neighborhood. No response. Provisos: exterior design review and owner occupancy.

Z-7548: 439H-439 Main Street, Charlestown. Legalize occupancy as three family dwelling and office consistent with residential-commercial area. Design review proviso.

Z-7553: 2000-2010 Columbus Avenue, Roxbury. Change occupancy 12 apartments to 7 apartments and developer's offices. Vacant building of many years. Developer, Urban Edge, will be funded through City of Boston Homesteading program and will occupy offices. Design review proviso.

Z-7586: 57 Fort Avenue, Roxbury. Change occupancy 1-2 family dwelling. Consistent with two-three family residential neighborhood. No response. Exterior design review and owner occupancy provisos.

Z-7559: 67 Topliff Street, Dorchester. Change occupancy 2-3 family dwelling. Proposal consistent with similar properties in the neighborhood. Exterior design review proviso.

We recommend approval of one new housing/rehabilitation cases:

Z-7554: 141 Fisher Avenue, Roxbury. Erect three family dwelling consistent with residential neighborhood. Community support. Design review proviso.

We recommend denial of four cases:

Z-7557-7558: 3-5 Fenton Street, Dorchester. Ancillary parking of four commercial vehicles. Proposal is undesirable and represents encroachment on residential neighborhood. Adamant opposition. Concerns are: noise, pollution, making tar compound on premises.

Z-7561: 14 Ellington Street, Dorchester. Change occupancy lubricatorium to auto body repair garage. Facility with potential noise and fumes is an unwanted use and would adversely affect adjacent residential properties. Strong community opposition.

Z-7562-64: 24-28 Concord Sq., Boston. Three roof additions would alter roof lines and uniformity of block, create unwanted precedent in neighborhood.

Z-7565: 135B Bremen Street, Boston. Erect pre-fab modular office structure for existing car rental agency. East Boston community has, on several occasions, expressed strong opposition to airport-related facilities. Traffic/Parking Department has concerns about traffic patterns.

We recommend approval of two parking-gas station car wash cases:

Z-7549: 710 Gallivan Boulevard, Dorchester. Replace gasoline storage tanks and increase capacity 17000 to 24000 gallons. Proposal will tend to decrease bulk deliveries. Community support. Proviso: compliance with Board of Appeal Gas Station Guidelines.

Z-7598: 815 Gallivan Boulevard, Dorchester. Rear addition to eight bay car wash in predominant commercial area. No response. Design review proviso.

We recommend approval of two institutional cases:

Z-7568: 110 Commonwealth Avenue, Boston. Change occupancy church to church and day care center. Use similar to weekend use of many years. Provisos: 40 children limit and expire upon sale or lease of property.

Z-7571: 103-117 Pilgrim Road, Boston. Addition to Winsor School for science facility. Design review and guidelines provisos.

We recommend deferral of one case:

Z-7567: 71-73 Perkins Street, Jamaica Plain. Change occupancy from three to six apartments. Proposal also includes large shed dormer addition. Petitioner must discuss development plans with abutters and community.

BOARD OF APPEAL REFERRALS

April 4, 1985

		<u>Hearing</u>	
1.	Z-7548	4/9/85	Donya Melanson 439H-439 Main Street, Charlestown
2.	Z-7549	4/9/85	Sun Refining and Marketing Company 710 Gallivan Boulevard, Dorchester
3.	Z-7553	4/9/85	Urban Edge Hojsing Corporation 2000-2010 Columbus Avenue, Roxbury
4.	Z-7554	4/9/85	Ross M. Donald 141 Fisher Avenue, Roxbury
5.	Z-7556	4/9/85	Gary Chafetz 57 Fort Avenue, Roxbury
6.	Z-7557-7558	4/9/85	Dennis Kulesza 3-5 Fenton Street, Dorchester
7.	Z-7559	4/9/85	Naomi Brooks 67 Topliff Street, Dorchester
8.	Z-7560	4/9/85	Joseph A. Grigalunas 518 East Broadway, South Boston
9.	Z-7561	4/9/85	Fred Ross, Trustee Estate of Jack J. Shapiro 14 Ellington Street, Dorchester
10.	Z-7562-7564	4/9/85	Barbara and Thomas Casserly 24-26-28 Concord Square, Boston
11.	Z-7565	4/9/85	Louis DeSanctis 135b Bremen Street, East Boston
12.	Z-7567	4/9/85	Lawrence Bowser, Trustee 71-73 Perkins Street Trust 71-73 Perkins Street, Jamaica Plain
13.	Z-7568	4/9/85	The First Baptist Church of Boston 110 Commonwealth Avenue, Boston
14.	Z-7571	4/9/85	The Winsor School 103-117 Pilgrim Road, Boston
15.	Z-7598	4/9/85	Habib Mourad 815 Gallivan Boulevard, Dorchester

MEMORANDUM

April 4, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: MARC WEBB, ASSISTANT DIRECTOR, PLANNING AND ZONING
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 4/9/85

Z-7548
Donya Melanson
439H-439 Main Street
Charlestown

Existing
at site: Three-story structure

Purpose of
petition: Legalize occupancy - three apartments and office.

District(s) Site is in general business (B-1) district.
and Use(s): Apartments are allowed in general business district; conversion
is forbidden use. Office is allowed.

Violation(s):

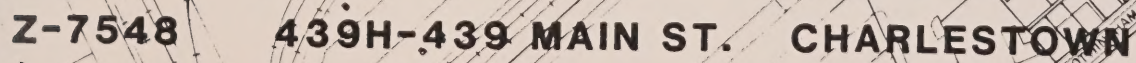
Dwelling converted for more families is forbidden use.

Lot area and open space are insufficient.

Floor area ratio is excessive.

There is no record of legal occupancy. Building was formerly occupied as three-family dwelling and store. Proposal is consistent with mixed residential-commercial area. No response from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-7548, Donya Melanson, 439H-439 Main Street, Charlestown, for a forbidden use and three variances to legalize occupancy as three apartments and office in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. There is no record of legal occupancy. Building was formerly occupied as three-family dwelling and store. Proposal is consistent with residential-commercial area.



CHARLESTOWN

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7549

Sun Refining and Marketing Company
710 Gallivan Boulevard
Dorchester

Existing
at site:

Gas service station

Purpose of
petition:

Install three 8,000-gallon gasoline storage tanks; increase capacity from 17,000 to 24,000 gallons.

District(s)
and Uses(s):

Site is in local business (L-.5) district.
Gas service station is nonconforming use.

Violation(s):

Extension of nonconforming use is conditional.

Obsolete tanks are to be replaced. Proposal will tend to decrease bulk deliveries. Community supports it. Recommend approval with proviso.

VOTED: In reference to petition Z-7549, Sun Refining and Marketing Company, 710 Gallivan Boulevard, Dorchester, for extension of nonconforming use to install three 8,000-gallon gasoline storage tanks and increase capacity from 17,000 to 24,000 gallons in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that the facility comply with Board of Appeal guidelines for gas service stations. Obsolete tanks are to be replaced. Proposal will tend to decrease bulk deliveries.

Z-7549 710 GALLIVAN BLVD - DORCHESTER



Z-7549

710 GALLIVAN BLVD DORCHESTER

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7553
Urban Edge Housing Corporation
2000-2010 Columbus Avenue
Roxbury

Existing
at site: Four-story structure

Purpose of
petition: Subdivide; change occupancy from 12 apartments to 7 apartments
and developer's offices.

District(s) Site is in apartment (H-1) multifamily district.
and Uses(s): Developer's offices are forbidden use.

Violation(s):

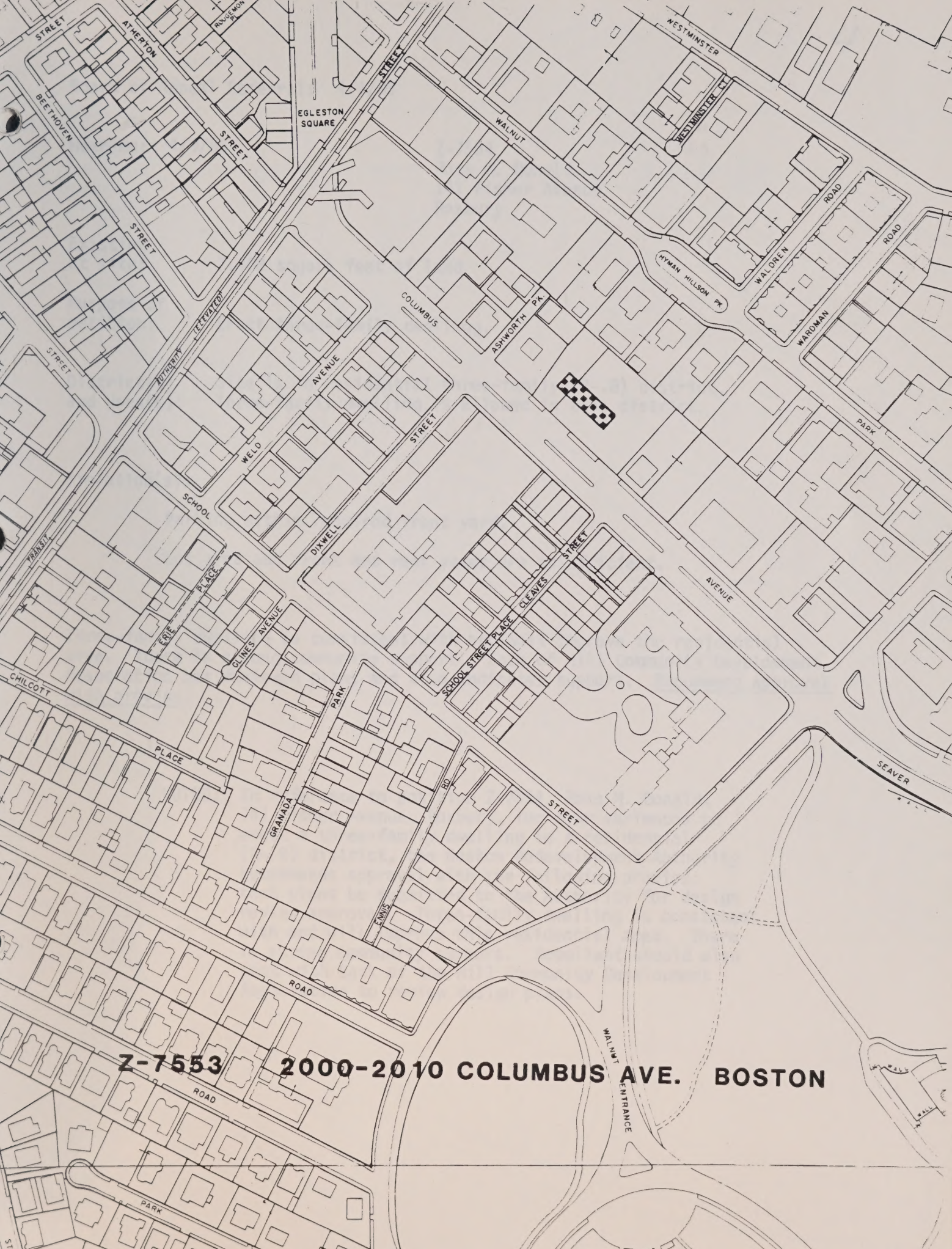
Developer's office is forbidden use.

Lot area, rear yard, setback of parapet, and off-street parking
are insufficient.

Floor area ratio is excessive.

Building, vacant many years, was part of a community development never completed. Petitioner, a nonprofit community housing organization, has been funded for this project through the City of Boston homesteading program. Offices are to be occupied by petitioner. Proposal will help to revitalize Egleston Square neighborhood. Recommend approval with provisos.

VOTED: In reference to petition Z-7553, Urban Edge Housing Corporation, 2000-2010 Columbus Avenue, Roxbury, for a forbidden use and five variances to subdivide and to change occupancy from 12 apartments to 7 apartments and developer's offices in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans be submitted to the Authority for design review approval; that petitioner purchase or lease space to provide required off-street parking; that office use extend to petitioner only and expire upon sale, lease, rental, or other disposition of property. Building, vacant for many years, was part of community development never completed. Petitioner has been funded for this project through City of Boston homesteading program. Offices are to be occupied by petitioner.



Z-7553

2000-2010 COLUMBUS AVE. BOSTON

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7554
Ross M. Donald
141 Fisher Avenue
Roxbury

Existing
at site: 7,402 square feet of land

Purpose of
petition: Erect three-family dwelling.

District(s) Site is in residential three-family (R-.8) district.
and Uses(s): Three-family dwelling is allowed in this district.

Violation(s):

Parking within required front yard.

Lot area and front and rear yards are insufficient.

Three-family dwelling is consistent with and will improve the residential area. There is strong community support. Back of Hill Community Development Association has reviewed plans and also indicates support. Recommend approval with proviso.

VOTED: In reference to petition Z-7554, Ross M. Donald, 141 Fisher Avenue, Roxbury, for four variances to erect a three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Three-family dwelling is consistent with and will improve this residential area. There is strong community support. Appellant should also meet with Back of the Hill Community Development Association to review design plans.

Z-7554 141 FISHER AVE. ROXBURY



Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7556
Gary Chafetz
57 Fort Avenue
Roxbury

Existing
at site: Three-story structure

Purpose of
petition: Change occupancy from one- to two-family dwelling.

District(s)
and Uses(s): Site is in apartment multifamily (H-1) district.
Two-family dwelling is allowed in this district; conversion
is forbidden.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area and open space are insufficient.

Proposed occupancy is consistent with two-three-family residential neighborhood.
There will be substantial renovation. No response from abutters. Recommend
approval with provisos.

VOTED: In reference to petition Z-7556, Gary Chafetz,
57 Fort Avenue, Roxbury, for a forbidden use and
two variances for change of occupancy from one-
to two-family dwelling in an apartment (H-1)
district, the Boston Redevelopment Authority
recommends approval with the following provisos:
that plans for exterior changes be submitted to
the Authority for design review approval; that
the structure be owner-occupied. Proposed occu-
pancy is consistent with two- and three-family
residential neighborhood. There will be sub-
stantial renovation.



JOHN J.
CONNOLLY
Z-7556
PLAYGROUND

57 FORT AVE. ROXBURY

BOSTON
PUBLIC
WORKS
ROXBURY
YARD

BLEACHERS

MARCELLA

VALE

FULDA

HIGHLAND

THWING

GLEN

BEECH

HIGHLAND

PARK

ROXBURY STANDOFF
U.S.C. 8452

AVENUE

HIGHLAND PARK ST

AVENUE

PARK

HIGHLAND

FORT

STREET

MERTON PLACE

STREET

AVENUE

STREET

AVENUE

STREET

HAWTHORNE

ELLIS

HOLY TRINITY

HIGH SCHOOL (R.C.)

VALENTINE

THORNTON

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7557-7558
Dennis Kulesza
3-5 Fenton Street
Dorchester

Existing
at site: Vacant land

Purpose of
petition: Combine lots for ancillary parking of four commercial vehicles.

District(s) Site is in residential three-family (R-.8) district.
and Uses(s): Parking lot is forbidden use in this district.

Violation(s):

Parking lot is forbidden use.

Petitioner is presently storing construction equipment (2½-ton trucks, tar machinery) on site. Proposal is undesirable and represents encroachment on residential neighborhood. There is adamant opposition. Concerns are: noise, pollution, mixing tar compound on premises. Recommend denial.

VOTED: In reference to petition Z-7557-7558, Dennis Kulesza, 3-5 Fenton Street, Dorchester, for two forbidden uses to combine lots for ancillary parking of four commercial vehicles in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Petitioner is presently storing construction equipment (2½-ton trucks, tar machinery) on site. Proposal is undesirable and represents encroachment on residential neighborhood. There is adamant opposition. Concerns are: noise, pollution, mixing of tar compound on premises.



Z-7557-58

3-5 FENTON ST.

DORCHESTER

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7559
Naomi Brooks
67 Topliff Street
Dorchester

Existing
at site: 2½-story structure

Purpose of
petition: Change occupancy from two- to three-family dwelling.

District(s) Site is in residential three-family (R-.8) district.
and Uses(s): Three-family dwelling is allowed in this district; conversion
is forbidden use.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area is insufficient.

Proposed occupancy is consistent with similar properties in this three-family residential district. Recommend approval with provisos.

VOTED: In reference to petition Z-7559, Naomi Brooks, 67 Topliff Street, Dorchester, for a forbidden use and a variance for change of occupancy from two- to three-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans for any exterior changes be submitted to the Authority for design review approval. Proposed occupancy is consistent with similar properties in this three-family residential district.



Z-7559

67 TOPLIFF ST. DORCHESTER

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7560
Joseph A. Grigalunas
518 East Broadway
South Boston

Existing
at site: Three-story structure

Purpose of
petition: Change occupancy from one apartment and two offices to
four apartments.

District(s)
and Uses(s): Site is in apartment multifamily (H-1-50) district.
Apartments are allowed in this district; conversion is
forbidden use.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area and off-street parking are insufficient.

Petitioner states that four-apartment occupancy was existing at time of
purchase last year. Four-family dwelling is compatible with residential
nature of neighborhood. No response from abutters. Recommend approval
with provisos.

VOTED: In reference to petition Z-7560, Joseph A. Grigalunas,
518 East Broadway, South Boston, for a forbidden use
and two variances for change of occupancy from one
apartment and two offices to four apartments in an
apartment (H-1-50) district, the Boston Redevelopment
Authority recommends approval with the following pro-
visos: that plans for any exterior changes be sub-
mitted to the Authority for design review approval;
that the structure be owner-occupied. Petitioner
states that four-apartment occupancy was existing at
time of purchase last year. Four-family dwelling is
compatible with residential nature of neighborhood.



Z-7560 — 518 EAST BROADWAY — SOUTH BOSTON

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7561
Fred Ross, Trustee
Estate of Jack J. Shapiro
14 Ellington Street
Dorchester

Existing
at site: One story structure

Purpose of
petition: Change occupancy from two-car lubritorium and office to auto
body repair shop garage.

District(s) Site is in apartment multifamily (H-1) district.
and Uses(s): Lubritorium and auto body repair shop garage are nonconforming
uses.

Violation(s):

Change in nonconforming use.

Proposed automotive facility, with potential noise and fumes, is an unwanted
use and would adversely affect adjacent residential properties. Strong
community opposition exists. Recommend denial.

VOTED: In reference to petition Z-7561, Fred Ross, Trustee,
Estate of Jack J. Shapiro, 14 Ellington Street,
Dorchester, for change in nonconforming use for
change of occupancy from two-car lubritorium and
office to auto body repair shop garage in an apart-
ment (H-1) district, the Boston Redevelopment
Authority recommends denial. Proposed automotive
facility with potential noise and fumes is an
unwanted use and would adversely affect adjacent
residential properties. There is strong community
opposition.



Z-756

14 ELLINGTON ST. DORCHESTER

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7562-7564

Barbara and Thomas Casserly
24-26-28 Concord Square
Boston

Existing
at site:

Three-story structure

Purpose of
petition:

Erect three penthouse additions.

District(s)
and Uses(s):

Site is in apartment multifamily restricted roof structure
(H-3*) district.

Apartments are allowed, penthouse additions are conditional, in
this district.

Violation(s):

Change of roof profile is conditional.

Inappropriate additions would further damage existing roof line and uniformity
of height of the block and would be contrary to architectural character of the
Victorian row houses. Recommend denial.

VOTED: In reference to petitions Z-7562-7564, Barbara and
Thomas Casserly, 24-26-28 Concord Square, Boston, for
three conditional uses to erect three penthouse addi-
tions in an apartment restricted roof structure (H-3*)
district, the Boston Redevelopment Authority recommends
denial. Inappropriate additions would further damage
existing roof line and uniformity of height of the
block and would be contrary to architectural character
of the Victorian row houses.



Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7565
Louis DeSanctis
135b Bremen Street
East Boston

Existing
at site: Car rental agency

Purpose of
petition: Erect one-story

District(s) and Uses(s): Site is in apartment multifamily (H-1) and manufacturing (M-1) districts.
Car rental agency is a forbidden use in an apartment district and a conditional use in an M-1 district.

Violation(s):

Car rental agency is forbidden use in H-1 district and conditional in M-1 district.

Office would be constructed for use of existing car rental agency. The East Boston community has on several occasions expressed strong opposition to Airport-related facilities. The City of Boston Traffic and Parking Department has concerns about use of surrounding residential street for vehicular access to and egress from site. A freight terminal, which requires clear access for trailer trucks exists at this location. Recommend denial.

VOTED: In reference to petition Z-7565, Louis DeSanctis, 135b Bremen Street, East Boston, for a forbidden use and a conditional use to erect a one-story prefabricated modular office structure in an apartment (H-1) and manufacturing (M-1) district, the Boston Redevelopment Authority recommends denial. Office would be constructed for use of existing car rental agency. The East Boston community has on several occasions expressed opposition to Airport-related facilities. The City of Boston Traffic and Parking Department has concerns about use of surrounding residential streets for vehicular access to and egress from site. A freight terminal which requires clear access for trailer trucks exists at this location.

Z-7565

135B BREMEN ST. EAST BOSTON



Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7567

Lawrence Bowser, Trustee
71-73 Perkins Street Trust
71-73 Perkins Street
Jamaica PlainExisting
at site: Three-story structurePurpose of
petition: Change occupancy from three to six apartments.District(s) and Uses(s): Site is in residential two-family (R-.5) and three-family (R-.8) districts.
Conversion is forbidden use.

Violation(s):

Dwelling converted for more families is forbidden use.

Floor area ratio and height of building are excessive.

Open space is insufficient.

Proposal also includes construction of 53' x 21' shed dormer addition, which is not indicated on site plan. Petitioner must discuss development plans with abutters and community. Recommend deferral of decision.

VOTED: In reference to petition Z-7567, Lawrence Bowser, Trustee, 71-73 Perkins Street, Jamaica Plain, for a forbidden use and three variances for change of occupancy from three to six apartments in residential (R-.5 and R-.8) districts, the Boston Redevelopment Authority recommends deferral of decision. Proposal also includes construction of 53' x 21' shed dormer addition, which is not indicated on site plan. Petitioner must discuss plans with abutters and community.



Z-7567 71-73 PERKINS ST. JAMAICA PLAIN

MARY F. CURLEY
SCHOOL

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7568

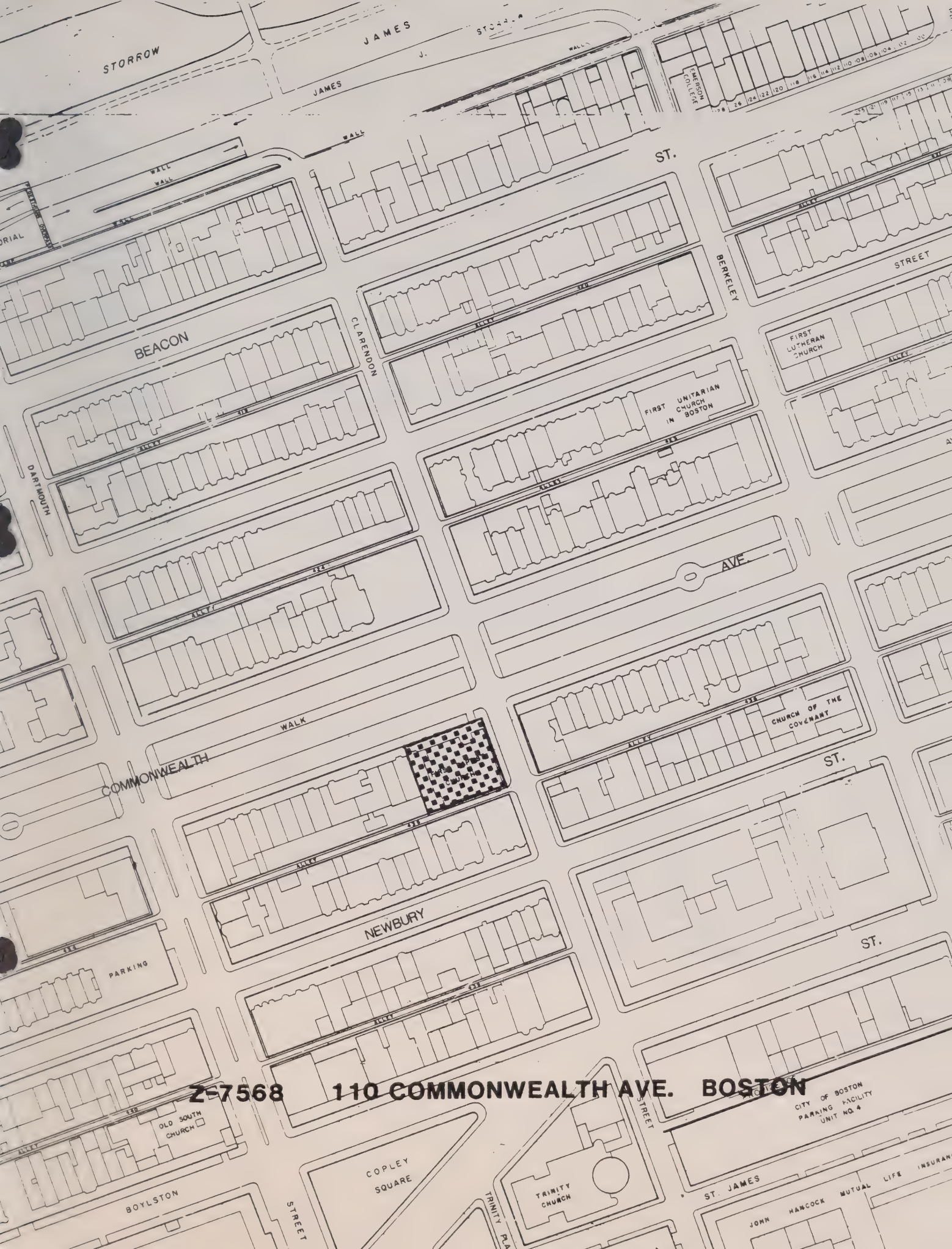
The First Baptist Church of Boston
110 Commonwealth Avenue
BostonExisting
at site: Two-story church structurePurpose of
petition: Change occupancy from church to church and day care center.District(s) Site is in apartment multifamily (H-3-65) district.
and Uses(s): Day care center is conditional use in this district.

Violation(s):

Day care center is conditional use.

Church education building will accommodate day care center. Proposal would be similar to week-end use of building for many years. Recommend approval.

VOTED: In reference to petition Z-7568, The First Baptist Church of Boston, 110 Commonwealth Avenue, Boston, for a conditional use for change of occupancy from church to church and day care center in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends approval with the following provisos: that capacity of day care center be limited to 40 children; that day care center use terminate upon sale, lease, rental, or other disposition of property; and that all applicable City and State regulations pertaining to day care centers be complied with. Proposed use would be similar to the many years' week-end use of church education building.



Z-7568

110 COMMONWEALTH AVE. BOSTON

CITY OF BOSTON
PARKING FACILITY
UNIT NO. 4

COPLEY
SQUARE

TRINITY
CHURCH

ST. JAMES

JOHN HANCOCK MUTUAL LIFE INSURANCE

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7571
The Winsor School
103-117 Pilgrim Road
Boston

Existing
at site: Private school (grades 3-12)

Purpose of
petition: Erect two-story addition.

District(s) Site is in apartment multifamily (H-1) district.
and Uses(s): School is allowed use in this district.

Violation(s):

Front and rear yards are insufficient.

Addition to private school will accommodate ground-level service maintenance garage and second-floor science facility. Recommend approval with provisos.

VOTED: In reference to petition Z-7571, The Winsor School, 103-117 Pilgrim Road, Boston, for two variances to erect a two-story addition to a school in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that Winsor School and Temple Israel prepare and endorse guidelines for development of southwest elevation; that plans be submitted to the Authority for design review approval. Science building is to be constructed on property line of southwest elevation. Absence of required 20-foot setback will impact proposed development of adjacent Temple Israel parking lot.

Z-7571 103-117 PILGRIM ROAD BOSTON



Z-7571 103-117 PILGRIM ROAD BOSTON

Board of Appeal Referrals 4/4/85

Hearing: 4/9/85

Z-7598
Habib Mourad
815 Gallivan Boulevard
Dorchester

Existing
at site: One-story structure

Purpose of
petition: Erect addition to car wash structure.

District(s) Site is in manufacturing (M-1) district.
and Uses(s): Car wash is allowed use in this district.

Violation(s):

Rear yard is insufficient.

Rear addition of five feet to eight-bay car wash will not adversely affect this predominantly commercial area. No response from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-7598, Habib Mourad, 815 Gallivan Boulevard, Dorchester, for a variance to erect addition to car wash structure in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Rear addition of five feet to eight-bay car wash will not adversely affect this predominantly commercial area.

